



## Article 2. Permit Application

### §66270.10. General Application Requirements.

(a) Permit application. Any person who is required to have a permit (including new applicants and permittees with expiring permits) shall complete, sign, and submit a Part A and Part B permit application to the Department as specified in this chapter. Persons currently authorized with interim status shall apply for permits when required by the Department. Persons covered by permits by rule (section 66270.60) need not apply. Procedures for applications, issuance and administration of emergency permits are found exclusively in section 66270.61. Procedures for application, issuance and administration of research, development, and demonstration permits are found exclusively in section 66270.65.

(b) Who applies? When a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit, except that the owner shall also sign the permit application.

(c) Completeness. The Department shall not begin the processing of a permit until the applicant has fully complied with the application requirements for that permit. The Department shall not issue a permit before receiving a complete application for a permit except for permits by rule, or emergency permits. An application for a permit is complete when the Department receives an application form and any supplemental information which are completed to the Department's satisfaction, and the Department notifies the applicant in writing that the application is complete. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity. The Department may deny a permit for the active life of a hazardous waste management facility or unit before receiving a complete application for a permit.

(d) Information requirements. All applicants for permits shall provide information set forth in section 66270.13 and applicable subsections in sections 66270.14 through 66270.23 to the Department, using the application form (Application for a Hazardous Waste Permit, EPA Form 8700-23, revised 1/90) provided by the Department.

(e) Existing hazardous waste management facilities and interim status qualifications.

(1) Owners and operators of existing hazardous waste management facilities or of hazardous waste management facilities in existence on the effective date of statutory or regulatory amendments under the act that render the facility subject to the requirement to have a permit shall submit Part A of their permit application no later than:

(A) six months after the date of publication of regulations which first require them to comply with the standards set forth in chapter 15 or 16 of this division, or

(B) thirty days after the date they first become subject to the standards set forth in chapter 15 or 16 of this division, whichever first occurs.

(2) At any time after July 1, 1991, the owner and operator of an existing hazardous waste management facility may be required to submit Part B of their permit application. Any owner or operator shall be allowed 60 days from the date of request to submit a complete Part B of the application. The Department shall allow an owner or operator more time to submit a complete Part B if the owner or operator demonstrates to the satisfaction of the Department that additional time is required to complete Part B of the application. Any owner or operator of an existing hazardous waste management facility may voluntarily submit Part B of the application at any time.

Notwithstanding the above, any owner or operator of an existing hazardous waste management facility shall submit a Part B permit application in accordance with the dates specified in section 66270.73. Any owner or operator of a land disposal facility in existence on the effective date of statutory or regulatory amendments under RCRA or the Health and Safety Code that render the facility subject to the requirement to have a permit shall submit a Part B application in accordance with the dates specified in section 66270.73.

(3) Failure to furnish a requested Part B application on time, or to furnish in full the information required by the Part B application, is grounds for termination of interim status under chapter 21 of this division.

(f) New hazardous waste management facilities.

(1) No person shall begin physical construction of a new hazardous waste management facility or new HWM unit without having submitted Parts A and B of the permit application or a permit modification request and having received a finally effective permit or permit modification.

(2) An application for a permit for a new hazardous waste management facility (including both Parts A and B) may be filed any time after promulgation of those standards in chapter 14, article 9 et seq. of this division applicable to such facility. The application shall be filed with the Department. All applications shall be submitted at least 180 days before physical construction is expected to commence.

(g) Updating permit applications.

(1) If any owner or operator of a hazardous waste management facility has filed Part A of a permit application and has not yet filed Part B, the owner or operator shall file an amended Part A application:

(A) with the Department, no later than the effective date of regulatory provisions listing or designating wastes as hazardous in addition to those listed or designated under the previous regulations, if the facility is transferring, treating, storing, or disposing of any of those newly listed or designated wastes; or

(B) As necessary to comply with provisions of section 66270.72 for changes during interim status.

(2) The owner or operator of a facility who fails to comply with the updating requirements of subsection (g)(1) of this section shall not receive interim status as to the wastes not covered by duly filed and approved Part A applications.

(h) Reapplications. Any hazardous waste management facility with an effective permit shall submit a new application at least 180 days before the expiration date of the effective permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later

than the expiration date of the existing permit.)

(i) Recordkeeping. Applicants shall keep records of all data used to complete permit applications and any supplemental information submitted under sections 66270.10(d), 66270.13, and 66270.14 through 66270.23 for a period of at least 3 years from the date the application is signed.

(j) Exposure information.

(1) After August 8, 1985, any Part B permit application submitted by an owner or operator of a facility that transfers, stores, treats, or dispose of hazardous waste in a surface impoundment or a landfill shall be accompanied by information, reasonably ascertainable by the owner or operator, on the potential for the public to be exposed to hazardous wastes or hazardous constituents through releases related to the unit. At a minimum, such information shall address:

(A) reasonably foreseeable potential releases from both normal operations and accidents at the unit, including releases associated with transportation to or from the unit;

(B) the potential pathways of human exposure to hazardous wastes or constituents resulting from the releases described under subsection (j)(l)(A) of this section; and

(C) the potential magnitude and nature of the human exposure resulting from such releases.

(2) By August 8, 1985, owners and operators of a landfill or a " surface impoundment who have already submitted a Part B application shall submit the exposure information required in subsection (j)(l) of this section.

(k) The Department may require a permittee or an applicant to submit information in order to establish permit conditions under sections 66270.32(b)(2) and 66270.50(d).

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.10.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

### **§66270.11. Signatories to Permit Applications and Reports.**

(a) Applications. All permit applications shall be signed as follows:

(1) for a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who is authorized to perform similar policy or decision making functions, which govern the operation of the regulated facility, for the corporation;

(2) for a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) for a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(A) the chief executive officer of the agency, or

(B) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA).

(b) Reports. All reports required by permits and other information requested by the Department shall be signed by a person described in subsection (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) the authorization is made in writing by a person described in subsection (a) of this section;

(2) the authorization specifies either an individual or a position having responsibility for overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and (3) the written authorization is submitted to the Department.

(c) Changes to authorization. If an authorization under subsection (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subsection (b) of this section shall be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

(d) Certification. Any person signing a document under subsection (a) or (b) of this section shall make the following certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to be the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.11.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

### **§66270.12. Confidentiality of Information.**

(a) In accordance with section 66260.2, any information submitted to the Department pursuant to these regulations may be claimed as confidential by the submitter. Any such claim shall be asserted at the time of

submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the Department may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in section 66260.2.

(b) Claims of confidentiality for the name and address of any permit applicant or permittee will be denied.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.12.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

#### **§66270.13. Contents of Part A of the Permit Application.**

All applicants for permits shall provide the following information to the Department using the Part A application (Application for a Hazardous Waste Permit, Form EPA 8700-23, revised 1/90) form provided by the Department:

- (a) the activities conducted by the applicant which require it to obtain a permit;
- (b) name, mailing address, and location, including latitude and longitude of the facility for which the application is submitted;
- (c) up to four SIC Codes which best reflect the principal products or services provided by the facility;
- (d) the operator's name, address, telephone number, ownership status, and status as Federal, State, private, public, or other entity;
- (e) the name, address, and phone number of the owner of the facility;
- (f) whether the facility is located on Indian lands;
- (g) an indication of whether the facility is new or existing and whether it is a first or revised application;
- (h) for existing facilities, (1) a scale drawing of the facility showing the location of all past, present, and future treatment, storage, and disposal areas; and (2) photographs of the facility clearly delineating all existing structures; existing treatment, storage, and disposal areas; and sites of future treatment, storage, and disposal areas;
- (i) a description of the processes to be used for transferring, treating, storing, and disposing of hazardous waste, and the design capacity of these items;
- (j) a specification of the hazardous wastes listed or designated under chapter 11 of this division to be transferred, treated, stored, or disposed of at the facility, an estimate of the quantity of such wastes to be transferred, treated, stored, or disposed annually, and a general description of the processes to be used for such wastes;
- (k) a listing of all permits or construction approvals received or applied for under any of the following programs:
  - (1) hazardous Waste Management program under RCRA (42 U.S.C. commencing with section 6921 or the Health and Safety Code commencing with section 25100);
  - (2) UIC program under the federal SDWA (42 U.S.C. 6924);
  - (3) NPDES program under the federal CWA (33 U.S.C. 1342);
  - (4) prevention of Significant Deterioration (PSD) program under the federal Clean Air Act (42 U.S.C. 7401 et seq.);
  - (5) nonattainment program under the federal Clean Air Act (42 U.S.C. 7501-7502);
  - (6) national Emission Standards for Hazardous Pollutants (NESHAPS) preconstruction approval under the federal Clean Air Act (42 U.S.C. 7412);
  - (7) ocean dumping permits under the Federal Marine Protection Research and Sanctuaries Act (33 U.S.C. section 1401, et. seq.);
  - (8) dredge or fill permits under section 404 of the federal CWA (33 U.S.C. 1344);
  - (9) other relevant environmental permits;
- (l) a topographic map extending one mile beyond the property boundaries of the source, depicting the facility and each of its intake and discharge structures; each of its hazardous waste transfer, treatment, storage, or disposal facilities; each well where fluids from the facility are injected underground; each building and its use; and those wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within 1/4 mile of the facility property boundary;
- (m) a brief description of the nature of the business.
- (n) For hazardous debris, a description of the debris category(ies) and contaminant category(ies) to be treated, stored, or disposed of at the facility.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25179.6 and 58012, Health and Safety Code. Reference: Sections 25159, 25159.5 and 58012, Health and Safety Code; 40 CFR Section 270.13.

#### HISTORY

- 1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).
- 2. New subsection (n) and amendment of Note filed 10-24-94 as an emergency; operative 10-24-94 (Register 94, No. 43). A Certificate of Compliance must be transmitted to OAL by 2-20-95 or emergency language will be repealed by operation of law on the following day.
- 3. New subsection (n) and amendment of Note refiled 2-21-95 as an emergency; operative 2-21-95 (Register 95, No. 8). A Certificate of Compliance must be transmitted to OAL by 6-21-95 or emergency language will be repealed by operation of law on the following day.

4. New subsection (n) and amendment of Note refiled 6-19-95 as an emergency; operative 6-19-95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-17-95 or emergency language will be repealed by operation of law on the following day.
5. New subsection (n) and amendment of NOTE refiled 10-16-95 as an emergency; operative 10-16-95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2-13-96 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 10-24-94 order transmitted to OAL 12-15-95 and filed 1-31-96 (Register 96, No. 5).

#### **§ 66270.14. Contents of Part B: General Requirements.**

(a) Part B of the permit application consists of the general information requirements of this section, and the specific information requirements in sections 66270.14 through 66270.23 applicable to the facility. The Part B information requirements presented in sections 66270.14 through 66270.23 reflect the standards promulgated in chapter 14 of this division. These information requirements are necessary in order for the Department to determine compliance with the chapter 14 standards. If owners and operators of hazardous waste management facilities can demonstrate that the information prescribed in Part B cannot be provided to the extent required, the Department may make allowance for submission of such information on a case-by-case basis. Information required in Part B shall be submitted to the Department and signed in accordance with requirements in section 66270.11. Certain technical data, such as design drawings and specifications, and engineering studies shall be certified by an independent, qualified professional engineer registered in California. Geologic plans, specifications, reports or documents shall be prepared by or under the direction of, and shall be certified by, a geologist registered in California. Calculations and technical data supporting the certification need not be submitted with Part B but shall be retained by the owner or operator and be available for review by the Department.

(b) General information requirements. The following information is required for all hazardous waste management facilities, except as section 66264.1 provides otherwise:

- (1) a general description of the facility;
- (2) chemical and physical analyses of the hazardous waste and hazardous debris to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to transfer, treat, store or dispose of the wastes properly in accordance with chapter 14 of this division;
- (3) a copy of the waste analysis plan required by section 66264.13(b) and, if applicable section 66264.13(c);
- (4) a description of the security procedures and equipment required by section 66264.14, or a justification demonstrating the reasons for requesting a waiver of this requirement;
- (5) a copy of the general inspection schedule required by section 66264.15(b). Include where applicable, as part of the inspection schedule, specific requirements in sections 66264.174, 66264.193(i), 66264.195, 66264.226, 66264.254, 66264.273, 66264.303, 66264.602, 66264.1033, 66264.1052, 66264.1053, 66264.1058, 66264.1084, 66264.1085, 66264.1086, and 66264.1088;
- (6) a justification of any request for a waiver(s) of the preparedness and prevention requirements of chapter 14, article 3 of this division;
- (7) a copy of the contingency plan required by chapter 14, article 4 of this division. NOTE: Include, where applicable, as part of the contingency plan, specific requirements in section 66264.227;
- (8) a description of procedures, structures or equipment used at the facility to:
  - (A) prevent hazards in unloading operations (for example, ramps, special forklifts);
  - (B) prevent runoff from hazardous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);
  - (C) prevent contamination of water supplies;
  - (D) mitigate effects of equipment failure and power outages; and
  - (E) prevent undue exposure of personnel to hazardous waste (for example, protective clothing); and
  - (F) Prevent releases to the atmosphere.
- (9) a description of precautions to prevent accidental ignition or reaction of ignitable, reactive or incompatible wastes as required to demonstrate compliance with section 66264.17 including documentation demonstrating compliance with section 66264.17(c);
- (10) traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals);
- (11) facility location information:
  - (A) the owner or operator of a new facility or a facility undergoing substantial modification (a Class 3 modification specified in section 66270.42(c) involving physical changes to the facility) shall demonstrate compliance with the seismic standard. This demonstration may be made using either published geologic data or data obtained from field investigations carried out by the applicant. The information provided shall be of such quality to be acceptable to geologists experienced in identifying and evaluating seismic activity. The information submitted shall show that either:
    1. no faults which have had displacement in Holocene time are present, or no lineations which suggest the presence of a fault (which have displacement in Holocene time) within 3,000 feet of a facility are present, based on data from:
      - a. published geologic studies,
      - b. aerial reconnaissance of the area within a five-mile radius from the facility;
      - c. an analysis of aerial photographs covering a 3,000 foot radius of the facility, and

d. if needed to clarify the above data, a reconnaissance based on walking portions of the area within 3,000 feet of the facility, or

2. if faults (to include lineations) which have had displacement in Holocene time are present within 3,000 feet of a facility, no faults pass within 200 feet of the portions of the facility where treatment, storage or disposal of hazardous waste will be conducted, based on data from a comprehensive geologic analysis of the site. Unless a site analysis is otherwise conclusive concerning the absence of faults within 200 feet of such portions of the facility data shall be obtained from a subsurface exploration (trenching) of the area within a distance no less than 200 feet from portions of the facility where transfer, treatment, storage or disposal of hazardous waste will be conducted. Such trenching shall be performed in a direction that is perpendicular to known faults (which have had displacement in Holocene time) passing within 3,000 feet of the portions of the facility where transfer, treatment, storage or disposal of hazardous waste will be conducted. Such investigation shall document with supporting maps and other analyses, the location of faults found;

(B) owners and operators of all facilities shall provide an identification of whether the facility is located within a 100 year floodplain. This identification shall indicate the source of data for such determination and include a copy of the relevant Federal Insurance Administration (FIA) flood map, if used, or the calculations and maps used where an FIA map is not available. Information shall also be provided identifying the 100-year flood level and any other special flooding factors (e.g., wave action) which must be considered in designing, constructing, operating or maintaining the facility to withstand washout from a 100-year flood;

(C) where maps for the National Flood Insurance Program produced by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency are available, they will normally be determinative of whether a facility is located within or outside of the 100-year floodplain. However, where the FIA map excludes an area (usually areas of the floodplain less than 200 feet in width), these areas shall be considered and a determination made as to whether they are in the 100-year floodplain. Where FIA maps are not available for a proposed facility location, the owner or operator shall use equivalent mapping techniques to determine whether the facility is within the 100-year floodplain, and if so located, what the 100-year flood elevation would be;

(D) owners and operators of facilities located in the 100-year floodplain shall provide the following information:

1. engineering analysis to indicate the various hydrodynamic and hydrostatic forces expected to result at the site as consequence of a 100-year flood;

2. structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., floodwalls, dikes) at the facility and how these will prevent washout;

3. if applicable, and in lieu of subsections (b)(11)(D) 1. and 2. of this section, a detailed description of procedures to be followed to remove hazardous waste to safety before the facility is flooded, including:

a. timing of such movement relative to flood levels, including estimated time to move the waste, to show that such movement can be completed before floodwaters reach the facility;

b. a description of the location(s) to which the waste will be moved and demonstration that those facilities will be eligible to receive hazardous waste in accordance with the regulations under chapters 14, 15, 16, 20 and 21 of this division;

c. the planned procedures, equipment and personnel to be used and the means to ensure that such resources will be available in time for use;

d. the potential for accidental discharges of the waste during movement;

(E) existing facilities NOT in compliance with section 66264.18(b) shall provide a plan showing how the facility will be brought into compliance and a schedule for compliance;

(F) the owners and operators of surface impoundments, waste piles, land treatment facilities and landfills shall provide information regarding the depth to the saturated zone or groundwater table, including seasonal high levels for groundwater, known aquifers beneath the site and any aquifers having hydraulic continuity;

(12) an outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the hazardous waste management facility in a safe manner as required to demonstrate compliance with section 66264.16. A brief description of how training will be designed to meet actual job tasks in accordance with requirements in section 66264.16(a)(3);

(13) a copy of the closure plan and, where applicable, the postclosure plan required by sections 66264.112, 66264.118 and 66264.197. Include, where applicable, as part of the plans, specific requirements in sections 66264.178, 66264.197, 66264.228, 66264.258, 66264.280, 66264.310, 66264.351, 66264.601 and 66264.603;

(14) for hazardous waste disposal units that have been closed, documentation that notices required under section 66264.119 have been filed;

(15) the most recent closure cost estimate for the facility prepared in accordance with section 66264.142 and a copy of the documentation required to demonstrate financial assurance under section 66264.143. For a new facility, a copy of the required documentation may be submitted 60 days prior to the initial receipt of hazardous wastes, if that is later than the submission of the Part B;

(16) where applicable, the most recent post closure cost estimate for the facility prepared in accordance with section 66264.144 plus a copy of the documentation required to demonstrate financial assurance under section 66264.145. For a new facility, a copy of the required documentation may be submitted 60 days prior to the initial receipt of hazardous wastes, if that is later than the submission of the Part B;

(17) where applicable, a copy of the insurance policy or other documentation which comprises compliance with the requirements of section 66264.147. For a new facility, documentation showing the amount of insurance meeting the specification of section 66264.147(a) and, if applicable, section 66264.147(b), that the owner or operator

plans to have in effect before initial receipt of hazardous waste for transfer, treatment, storage or disposal. A request for a variance in the amount of required coverage, for a new or existing facility, may be submitted as specified in section 66264.147(c);

(18) a topographic map showing a distance of 2000 feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). Contours shall be shown on the map. The contour interval shall be sufficient to clearly show the pattern of surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). Owners and operators of hazardous waste management facilities located in mountainous areas should use larger contour intervals to adequately show topographic profiles of facilities. The map shall clearly show the following:

- (A) map scale and date;
- (B) 100-year floodplain area;
- (C) surface waters including intermittent streams;
- (D) surrounding land uses (residential, commercial, agricultural, recreational);
- (E) a wind rose (i.e., prevailing wind-speed and direction);
- (F) orientation of the map (north arrow);
- (G) legal boundaries of the hazardous waste management facility site;
- (H) access control (fences, gates);
- (I) injection and withdrawal wells both onsite and offsite;
- (J) buildings; transfer, treatment, storage or disposal operations; or other structure (recreation areas, run-off control systems, access and internal roads, storm, sanitary and process sewerage systems, loading and unloading areas, fire control facilities, etc.);
- (K) barriers for drainage or flood control;
- (L) location of operational units within the hazardous waste management facility site, where hazardous waste is (or will be) transferred, treated, stored or disposed (include equipment cleanup areas);

(19) any additional information related to the proposed activity or facility which is requested by the Department;

(20) for land disposal facilities, if a case-by-case extension for RCRA wastes has been approved by USEPA under 40 CFR Section 268.5 and by the Department under section 66268.5 or a petition has been approved under section 66268.6, copies of the notices of approval for the extension or petition are required. If a variance for non RCRA wastes has been granted by the Department under Health and Safety Code section 25143 and section 66260.210 of this division, a copy of the letter granting the variance is required;

(21) For facilities applying for RCRA permits, a summary of the pre-application meeting, along with a list of attendees and their addresses, and copies of any written comments or materials submitted at the meeting, as required under section 66271.31(c).

(c) Additional information requirements. The information specified in this subsection shall be submitted for each regulated unit at a hazardous waste management facility. An owner or operator of a regulated unit that did not receive hazardous waste after February 2, 1985 shall submit this additional information only as it pertains to the water quality protection requirements of article 6 of chapter 14 of this division:

(1) a summary of the environmental monitoring data obtained during the interim status period under sections 66265.90 through 66265.99 and sections 66265.710 through 66265.714, where applicable;

(2) identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including groundwater flow direction and rate, which at a minimum shall be determined at the times of expected highest and lowest annual elevations of the groundwater surface, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

(3) on the topographic map required under subsection (b)(18) of this section, a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under section 66264.95, the proposed location of monitoring points as required under sections 66264.95 and 66264.705, and, to the extent possible, the information required in subsection (c)(2) of this section;

(4) a description of any plume of contamination or pollution that has migrated from a regulated unit at the time that the application was submitted that:

(A) delineates the extent of the plume on the topographic map required under subsection (b)(18) of this section;

(B) identifies the concentration of each constituent of concern throughout the plume or identified the maximum concentrations of each such constituent in the plume;

(5) detailed plans and an engineering report describing the proposed environmental monitoring programs to be implemented to meet the requirements of articles 6 and 17 of chapter 14 of this division. This submission shall be prepared and certified by a geologist registered in California or a civil engineer registered in California;

(6) if a detection monitoring program is required under section 66264.91 and/or section 66264.701 at the time of permit application, the owner or operator shall submit sufficient information, supporting data, and analyses to establish a detection monitoring program which meets the requirements of section 66264.98 and/or section 66264.706. This submission shall address the following items specified under section 66264.98 and 66264.706:

(A) a proposed list of constituents of concern for groundwater, surface water, air, soil-pore gas and soil-pore liquid, a proposed list of hazardous constituents for air, soil and soil-pore gas and a proposed list of monitoring parameters for each medium that can provide a reliable indication of a release from a regulated unit;

(B) proposed groundwater, soil-pore liquid and surface water monitoring systems required under section

66264.98 and any air or soil-pore gas monitoring systems required under article 17 of chapter 14;

(C) background values for each proposed monitoring parameter, hazardous constituent, and constituent of concern, or procedures to calculate such values; and

(D) a description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating monitoring data;

(7) if an evaluation monitoring program is required under section 66264.91 and/or a compliance monitoring program is required under section 66264.701 at the time of the permit application, the owner or operator shall submit sufficient information, supporting data, and analyses to establish an evaluation monitoring program which meets the requirements of sections 66264.99 and/or a compliance monitoring program under section 66264.707. The owner or operator shall also submit an engineering feasibility study for a corrective action program necessary to meet the requirements of sections 66264.100 and/or 66264.708, unless the owner or operator obtains written authorization from the Department prior to submittal of the permit application to submit a proposed permit schedule for submittal of such a study. To demonstrate compliance with sections 66264.99 and/or 66264.707, the owner or operator shall address the following items:

(A) a description of the wastes previously handled at the facility;

(B) a characterization of the contaminated or polluted groundwater, soil, soil-pore liquid, soil-pore gas, surface water or air, including concentrations of monitoring parameters, hazardous constituents and constituents of concern in each medium;

(C) for each medium, a proposed list of monitoring parameters for which evaluation monitoring will be undertaken in accordance with sections 66264.97 and 66264.99 and/or for compliance monitoring under section 66264.707;

(D) for each medium, background values, and any proposed concentration limits greater than background and/or alternate concentration limits for each constituent of concern and/or hazardous constituent based on the criteria set forth in sections 66264.94 and/or 66264.704, including a justification for establishing any such concentration limits;

(E) detailed plans and an engineering report describing the proposed monitoring system, prepared and certified by a geologist registered in California or a civil engineer registered in California, in accordance with the requirements of sections 66264.97 and 66264.98 and/or section 66264.707; and

(F) a description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating monitoring data;

(8) if a corrective action program is required under sections 66264.91 and/or 66264.701 at the time of permit application, the owner or operator shall submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of sections 66264.100 and/or 66264.7098. To demonstrate compliance with sections 66264.100 and/or 66264.7098, the owner or operator shall address, at a minimum, the following items:

(A) a characterization of the contaminated or polluted groundwater, soil, soil-pore liquid, soil-pore vapor, surface water or air including concentrations of monitoring parameters, hazardous constituents and constituents of concern in each medium;

(B) a proposed list of hazardous constituents and constituents of concern for each medium;

(C) for each medium, the proposed concentration limits for each hazardous constituent and constituent of concern as set forth in sections 66264.94 and/or 66264.704;

(D) detailed plans and an engineering report describing the corrective action to be taken and proposed environmental monitoring programs, prepared and certified by a geologist registered in California or a civil engineer registered in California; and

(E) a description of how the environmental monitoring programs will demonstrate the adequacy of the corrective action;

(F) a proposed permit schedule for submittal of the information operator obtains written authorization from the Department prior to submittal of the permit application.

(d) Information requirements for solid waste management units.

(1) The following information is required for each solid waste management unit at a facility seeking a permit:

(A) the location of the unit on the topographic map required under subsection (b)(18) of this section;

(B) designation of type of unit;

(C) general dimensions and structural description (supply any available drawings);

(D) when the unit was operated;

(E) specification of all wastes that have been managed at the unit, to the extent available;

(F) when applicable, the information required under section 66264.801.

(2) The owner or operator of any facility containing one or more solid waste management units shall submit all available information pertaining to any release of hazardous wastes or hazardous constituents from such unit or units.

(3) The owner/operator shall conduct and provide the results of sampling and analysis of groundwater, landsurface and subsurface strata, surface water, or air, which may include the installation of wells, where the Department ascertains it is necessary to complete a RCRA Facility Assessment that will determine if a more complete investigation is necessary.

(e) California Environmental Quality Act (CEQA) Information Requirements. Unless the Department has determined that the activity to be permitted is exempt from the requirements of CEQA pursuant to Title 14, CCR section 15061, the applicant shall submit with Part B of the permit application all information necessary to enable the

Department to prepare an Initial Study meeting the requirements of Title 14, CCR section 15063.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25179.6, 25245 and 58012, Health and Safety Code.  
Reference: Sections 25150, 25159, 25159.5, 25179.6, 25200 and 58012, Health and Safety Code; 40 CFR Section 270.14.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).
2. Amendment of subsections (b)(5) and (b)(8)(E) and Note and new subsection (b)(8)(F) filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
3. Amendment of subsection (b)(2) and Note filed 10-24-94 as an emergency; operative 10-24-94 (Register 94, No. 43). A Certificate of Compliance must be transmitted to OAL by 2-20-95 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsection (b)(2) and Note refiled 2-21-95 as an emergency; operative 2-21-95 (Register 95, No. 8). A Certificate of Compliance must be transmitted to OAL by 6-21-95 or emergency language will be repealed by operation of law on the following day.
5. Amendment of subsection (b)(2) and Note refiled 6-19-95 as an emergency; operative 6-19-95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10-17-95 or emergency language will be repealed by operation of law on the following day.
6. Amendment of subsection (b)(2) and NOTE refiled 10-16-95 as an emergency; operative 10-16-95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2-13-96 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 10-24-94 order transmitted to OAL 12-15-95 and filed 1-31-96 (Register 96, No. 5).
8. Change without regulatory effect adding new subsection (b)(21) filed 12-19-96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 51).
9. Change without regulatory effect amending subsection (b)(20) filed 8-15-97 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 33).
10. Change without regulatory effect amending subsection (b)(5) and NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

#### **§ 66270.15. Specific Part B Information Requirements for Containers.**

Except as otherwise provided in section 66264.170, owners or operators of facilities that transfer or store containers of hazardous waste shall provide the following additional information:

- (a) a description of the containment system to demonstrate compliance with section 66264.175. Show at least the following:
  - (1) basic design parameters, dimensions, and materials of construction;
  - (2) how the design promotes drainage or how containers are kept from contact with standing liquids in the containment system;
  - (3) capacity of the containment system relative to the number and volume of containers to be transferred or stored;
  - (4) provisions for preventing or managing run-on;
  - (5) how accumulated liquids can be analyzed and removed to prevent overflow;
- (b) sketches, drawings, or data demonstrating compliance with section 66264.176 (location of buffer zone and containers holding ignitable or reactive wastes) and section 66264.177(c) (location of incompatible wastes), where applicable;
- (c) where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with sections 66264.177(a) and (b), and 66264.17(b) and (c).
- (d) Information on air emission control equipment as required in section 66270.27.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.15.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).
2. Change without regulatory effect adding subsection (d) and amending NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

#### **§66270.16. Specific Part B Information Requirements for Tank Systems.**

Except as otherwise provided in section 66264.190, owners and operators of facilities that use tanks to transfer, store or treat hazardous waste shall provide a description of design and operation procedures which demonstrate compliance with the requirements of sections 66264.192, 66264.194, 66264.198, and 66264.199, including the following additional information:

- (a) a written assessment that is reviewed and certified by an independent, qualified, professional engineer registered in California as to the structural integrity and suitability for handling hazardous waste of each tank system including the containment system, as required under sections 66264.191(b) and (f) and 66264.192(b);
- (b) dimensions, capacity, and shell thickness of each tank;
- (c) description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);
- (d) a diagram of piping, instrumentation, and process flow for each tank system;



(e) a description of materials and equipment used to provide external corrosion protection, as required under section 66264.192(b)(3);

(f) for new tank systems, a detailed description of how the tank system(s) will be installed in compliance with sections 66264.192(c), (d), (e) and (f);

(g) detailed plans and description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of sections 66264.193(a), (b), (c), (d), (e), (f) and (j);

(h) for tank systems for which a variance from the requirements of section 66264.193 is sought (as provided by section 66264.193(g)):

(1) detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous waste or hazardous constituents into the ground water or surface water during the life of the facility, or

(2) a detailed assessment of the substantial present or potential hazards posed to human health or the environment should a release enter the environment;

(i) description of controls and practices to prevent spills and overflows, as required under section 66264.194(b); and

(j) for tank systems in which ignitable, reactive, or incompatible wastes are to be transferred, stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with the requirements of sections 66264.198 and 66264.199;

(k) references to design standards or other available information used (or to be used) in design and construction of the tank;

(l) a description of design specifications, including identification of construction materials and lining materials for the tank and secondary containment facilities (include pertinent characteristics such as corrosion or erosion resistance).

(m) Information on air emission control equipment as required in section 66270.27.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245, and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.16.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

2. Change without regulatory effect adding subsection (m) and amending NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

#### **§66270.17. Specific Part B Information Requirements for Surface Impoundments.**

Except as otherwise provided in section 66264.1, owners and operators of facilities that store, treat or dispose of hazardous waste in surface impoundments shall provide the following additional information:

(a) a list of the hazardous wastes placed or to be placed in each surface impoundment;

(b) detailed plans and an engineering report describing how the surface impoundment is designed and is or will be constructed, operated and maintained to meet the requirements of sections 66264.19, 66264.221, 66264.222, and 66264.223 of this chapter, addressing the following items:

(1) the liner system (except for an existing portion of a surface impoundment). If an exemption from the requirement for a liner is sought as provided by section 66264.221(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground water or surface water at any future time;

(2) prevention of overtopping;

(3) structural integrity of dikes, including information described in section 66264.228(e)(18), whether or not dikes will remain after closure;

(4) The double liner and leak (leachate) detection, collection, and removal system, if the surface impoundment shall meet the requirements of section 66264.221(c) of this chapter. If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by section 66264.221(f), (g), or (k) of this chapter, submit appropriate information;

(5) If the leak detection system is located in a saturated zone, submit detailed plans and an engineering report explaining the leak detection system design and operation, and the location of the saturated zone in relation to the leak detection system;

(6) The construction quality assurance (CQA) plan if required under section 66264.19 of this chapter;

(7) Proposed action leakage rate, with rationale, if required under section 66264.222 of this chapter, and response action plan, if required under section 66264.223 of this chapter;

(c) detailed plans and an engineering report explaining the location of the saturated zone in relation to the surface impoundment, and the design of a double-liner system that incorporates a leak detection system between the liners;

(d) A description of how each surface impoundment, including the double liner system, leak detection system, cover system and appurtenances for control of overtopping, will be inspected in order to meet the requirements of section 66264.226(a), (b) and (d) of this chapter. This information shall be included in the inspection plan submitted under section 66270.14(b)(5);

(e) a certification by an independent, qualified, professional engineer, registered in California which attests

to the structural integrity of each dike, as required under section 66264.226(c). For new units, the owner or operator shall submit a statement by an independent, qualified, professional engineer, registered in California, that the engineer will provide such a certification upon completion of construction in accordance with the plans and specifications;

(f) a description of the procedure to be used for removing a surface impoundment from service, as required under sections 66264.227(b) and (c). This information shall be included in the contingency plan submitted under section 66270.14(b)(7);

(g) a description of how hazardous waste residues and contaminated materials will be removed from the unit at closure, as required under section 66264.228(a)(1). For any wastes not to be removed from the unit upon closure, the owner or operator shall submit detailed plans and an engineering report describing how sections 66264.228(a)(2) and (b) will be complied with. This information shall be included in the closure plan and, where applicable, the post-closure plan submitted under section 66270.14(b)(13);

(h) if ignitable or reactive wastes are to be placed in a surface impoundment, an explanation of how section 66264.229 will be complied with;

(i) if incompatible wastes, or incompatible wastes and materials will be placed in a surface impoundment, an explanation of how section 66264.230 will be complied with.

(j) a waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027 describing how the surface impoundment is or will be designed, constructed, operated, and maintained to meet the requirements of section 66264.231. This submission shall address the following items as specified in section 66264.231:

(1) the volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(2) the attenuative properties of underlying and surrounding soils or other materials;

(3) the mobilizing properties of other materials co-disposed with these wastes; and

(4) the effectiveness of additional treatment, design, or monitoring techniques.

(k) Information on air emission control equipment as required in section 66270.27.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245, and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.17.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

2. Amendment of subsections (b) and (b)(2), new subsections (b)(4)-(7) and amendment of subsection (d) and Note filed 7-19-95; operative 8-18-95 (Register 95, No. 29).

3. Change without regulatory effect adding subsection (k) and amending NOTE filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

#### **§66270.18. Specific Part B Information Requirements for Waste Piles.**

Except as otherwise provided in section 66264.1, owners and operators of facilities that store or treat hazardous waste in waste piles shall provide the following additional information:

(a) a list of hazardous wastes placed or to be placed in each waste pile;

(b) detailed plans and an engineering report describing how the waste pile is designed and is or will be constructed, operated and maintained to meet the requirements of sections 66264.19, 66264.251, 66264.252, and 66264.253 of this chapter, addressing the following items:

(1)(A) the liner system (except for an existing portion of a waste pile), if the waste pile shall meet the requirements of section 66264.251(a) of this chapter. If an exemption from the requirement for a liner is sought, as provided by section 66264.251(e) of this chapter, submit detailed plans, and engineering and hydrogeological reports, as appropriate, describing alternate designs and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground water or surface water at any future time;

(B) The double liner and leak (leachate) detection, collection, and removal system, if the waste pile shall meet the requirements of section 66264.251(c) of this chapter. If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by section 66264.251(f), (m), or (n) of this chapter, submit appropriate information;

(C) If the leak detection system is located in a saturated zone, submit detailed plans and an engineering report explaining the leak detection system design and operation, and the location of the saturated zone in relation to the leak detection system;

(D) The construction quality assurance (CQA) plan if required under section 66264.19 of this chapter;

(E) Proposed action leakage rate, with rationale, if required under section 66264.252 of this chapter, and response action plan, if required under section 66264.253 of this chapter;

(2) control of run-on;

(3) control of run-off;

(4) management of collection and holding units associated with run-on and run-off control systems; and

(5) control of wind dispersal of particulate matter, where applicable;

(c) if a double liner and leak detection system is required, as noted by section 66264.251(k), detailed plans and an engineering report describing how the requirements of section 66264.251(k) will be complied with;

(d) a description of how each waste pile, including the double liner system, leachate collection and removal system, leak detection system, cover system, and appurtenances for control of run-on and run-off, will be inspected in

order to meet the requirements of section 66264.254(a), (b) and (c) of this chapter. This information shall be included in the inspection plan submitted under section 66270.14(b)(5). If a double liner and leak detection system is required, pursuant to section 66264.251(k), describe in the inspection plan how the inspection requirements of section 66264.254(b)(3) will be complied with;

(e) if treatment is carried out on or in the waste pile, details of the process and equipment used, and the nature and quality of the residuals;

(f) if ignitable or reactive wastes are to be placed in a waste pile, an explanation of how the requirements of section 66264.256 will be complied with;

(g) if incompatible wastes, or incompatible wastes and materials will be placed in a waste pile, an explanation of how section 66264.257 will be complied with;

(h) a description of how hazardous waste residues and contaminated materials will be removed from the waste pile at closure, as required under section 66264.258(a). For any waste not to be removed from the waste pile upon closure, the owner or operator shall submit detailed plans and an engineering report describing how sections 66264.310(a) and (b) will be complied with. This information shall be included in the closure plan and, where applicable, the post-closure plan submitted under section 66270.14(b)(13);

(i) a waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027 describing how a waste pile in which any of these wastes has been or will be placed is or will be designed, constructed, operated, and maintained to meet the requirements of section 66264.259. This submission shall address the following items as specified in section 66264.259:

(1) the volume, physical, and chemical characteristics of the wastes to be disposed in the waste pile, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(2) the attenuative properties of underlying and surrounding soils or other materials;

(3) the mobilizing properties of other materials co-disposed with these wastes; and

(4) the effectiveness of additional treatment, design, or monitoring techniques.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code; and Governor's Reorganization Plan Number 1 of 1991. Reference: Sections 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.18.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

2. Amendment of subsections (b)-(b)(1), designation of subsection (b)(1)(A), new subsections (b)(1)(B)-(E), and amendment of subsection (d) and Note filed 7-19-95; operative 8-18-95 (Register 95, No. 29).

3. Change without regulatory effect amending subsection (b)(1)(B) filed 6-30-97 pursuant to section 100, title 1, California Code of Regulations (Register 97, No. 27).

#### **§66270.19. Specific Part B Information Requirements for Incinerators.**

Except as section 66264.340 of this division provides otherwise, owners and operators of facilities that incinerate hazardous waste shall fulfill the requirements of subsection (a), (b), or (c) of this section:

(a) when seeking an exemption under section 66264.340(b) or (c) of this division (ignitable, corrosive, or reactive wastes only):

(1) documentation that the waste is listed as a hazardous waste in chapter 11, article 4 of this division, solely because it is ignitable (Hazard Code I) or corrosive (Hazard Code C) or both; or ignitable (Hazard Code I) or corrosive (Hazard Code C) or both; or

(2) documentation that the waste is listed as a hazardous waste in chapter 11, article 4 of this division, solely because it is reactive (Hazard Code R) for characteristics other than those listed in sections 66261.23(a)(4) and (5), and will not be burned when other hazardous wastes are present in the combustion zone; or

(3) documentation that the waste is a hazardous waste solely because it possesses the characteristic of ignitability, corrosivity, or both, as determined by the tests for characteristics of hazardous waste under chapter 11, article 3 of this division; or

(4) documentation that the waste is a hazardous waste solely because it possesses the reactivity characteristics listed in section 66261.23(a)(1), (2), (3), (6), (7), or (8) of this chapter and that it will not be burned when other hazardous wastes are present in the combustion zone; or

(b) submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with section 66270.62; or

(c) in lieu of a trial burn, the applicant may submit the following information:

(1) an analysis of each waste or mixture of wastes to be burned including:

(A) heat value of the waste in the form and composition in which it will be burned;

(B) viscosity (if applicable), or description of physical form of the waste;

(C) an identification of any hazardous organic constituents listed in chapter 11, Appendix VIII, of this division, which are present in the waste to be burned, except that the applicant need not analyze for constituents listed in chapter 11, Appendix VIII, of this division which would reasonably not be expected to be found in the waste. The constituents excluded from analysis shall be identified and the basis for their exclusion stated. The waste analysis shall rely on analytical techniques specified in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA publication SW-846, Third Edition and Updates (incorporated by reference in section 66260.11), or their equivalent;

(D) an approximate quantification of the hazardous constituents identified in the waste, within the precision produced by the analytical methods specified in "Test Methods for Evaluating Solid Waste, Physical/Chemical

Methods", EPA publication SW-846, Third Edition and Updates (incorporated by reference, in section 66260.11);

(E) a quantification of those hazardous constituents in the waste which may be designated as POHCs based on data submitted from other trial or operational burns which demonstrate compliance with the performance standards in section 66264.343 of this division;

(2) a detailed engineering description of the incinerator, including:

(A) manufacturer's name and model number of incinerator;

(B) type of incinerator;

(C) linear dimension of incinerator unit including cross sectional area of combustion chamber;

(D) description of auxiliary fuel system (type/feed);

(E) capacity of prime mover;

(F) description of automatic waste feed cutoff system(s);

(G) stack gas monitoring and pollution control monitoring system;

(H) nozzle and burner design;

(I) construction materials;

(J) location and description of temperature, pressure, and flow indicating devices and control devices;

(3) a description and analysis of the waste to be burned compared with the waste for which data from operational or trial burns are provided to support the contention that a trial burn is not needed. The data shall include those items listed in subsection (c)(1) of this section. This analysis shall specify the POHCs which the applicant has identified in the waste for which a permit is sought, and any differences from the POHCs in the waste for which burn data are provided;

(4) the design and operating conditions of the incinerator unit to be used, compared with that for which comparative burn data are available;

(5) a description of the results submitted from any previously conducted trial burn(s) including:

(A) sampling and analysis techniques used to calculate performance standards in section 66264.343 of this division;

(B) methods and results of monitoring temperatures, waste feed rates, carbon monoxide, and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

(C) the certification and results required by section 66270.62(b)(7);

(6) the expected incinerator operation information to demonstrate compliance with sections 66264.343 and 66264.345 of this division including:

(A) expected carbon monoxide (CO) and oxygen (O<sub>2</sub>) concentrations in the stack exhaust gas;

(B) waste feed rate;

(C) combustion zone temperature;

(D) indication of combustion gas velocity;

(E) expected stack gas volume, flow rate, and temperature;

(F) computed residence time for waste in the combustion zone;

(G) expected hydrochloric acid removal efficiency;

(H) expected fugitive emissions and their control procedures;

(I) proposed waste feed cut-off limits based on the identified significant operating parameters;

(7) such supplemental information as the Department finds necessary to achieve the purposes of this section;

(8) waste analysis data, including that submitted in subsection (c)(1) of this section, sufficient to allow the Department to specify as permit Principal Organic Hazardous Constituents (permit POHCs) those constituents for which destruction and removal efficiencies will be required.

(d) The Department shall approve a permit application without a trial burn if it finds that:

(1) the wastes are sufficiently similar; and

(2) the incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under section 66264.345) operating conditions that will ensure that the performance standards in section 66264.343 will be met by the incinerator.

NOTE: Authority cited: Sections 25150, 25159, 58004, and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.19.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

2. Amendment of subsections (c)(1)(C)-(D) and amendment of NOTE filed 10-13-98; operative 11-12-98 (Register 98, No. 42)

#### **§66270.20. Specific Part B Information Requirements for Land Treatment Facilities.**

Except as otherwise provided in section 66264.1, owners and operators of facilities that use land treatment to treat or dispose of hazardous waste shall provide the following additional information:

(a) a description of plans to conduct a treatment demonstration as required under section 66264.272. The description shall include the following information:

(1) the wastes for which the demonstration will be made and the potential hazardous constituents in the waste;

(2) the data sources to be used to make the demonstration (e.g., literature, laboratory data, field data, or

operating data);

(3) any specific laboratory or field test that will be conducted, including:

- (A) the type of test (e.g., column leaching, degradation);
- (B) materials and methods, including analytical procedures;
- (C) expected time for completion;

(D) characteristics of the unit that will be simulated in the demonstration, including treatment zone characteristics, climatic conditions, and operating practices;

(b) a description of a land treatment program, as required under section 66264.271. This information shall be submitted with the plans for the treatment demonstration, and updated following the treatment demonstration. The land treatment program shall address the following items:

(1) the wastes to be land treated;

(2) design measures and operating practices necessary to maximize treatment in accordance with section 66264.273(a) including:

- (A) waste application method and rate;
- (B) measures to control soil pH;
- (C) enhancement of microbial or chemical reactions;
- (D) control of moisture content;
- (3) provisions for unsaturated zone monitoring, including:
  - (A) sampling equipment, procedures, and frequency;
  - (B) procedures for selecting sampling locations;
  - (C) analytical procedures;
  - (D) chain of custody control;
  - (E) procedures for establishing background values;
  - (F) statistical methods for interpreting results;
- (G) the justification for any hazardous constituents recommended, for selection as principal hazardous constituents, in accordance with the criteria for such selection in section 66264.278(a);

(4) a list of hazardous constituents reasonably expected to be in, or derived from, the wastes to be land treated based on waste analysis performed pursuant to section 66264.13;

(5) the proposed dimensions of the treatment zone;

(c) a description of how the unit is or will be designed, constructed, operated, and maintained in order to meet the requirements of section 66264.273. This submission shall address the following items:

- (1) control of run-on;
- (2) collection and control of run-off;
- (3) minimization of run-off of hazardous constituents from the treatment zone;
- (4) management of collection and holding facilities associated with run-on and run-off control systems;
- (5) periodic inspection of the unit. This information shall be included in the inspection plan submitted under section 66270.14(b)(5);

(6) control of wind dispersal of particulate matter, if applicable;

(d) a description of the vegetative cover to be applied to closed portions of the facility, and a plan for maintaining such cover during the post-closure care period, as required under sections 66264.280(a)(8) and 66264.280(c)(2). This information shall be included in the closure plan and, where applicable, the post-closure care plan submitted under section 66270.14(b)(13);

(e) if ignitable or reactive wastes will be placed in or on the treatment zone, an explanation of how the requirements of section 66264.281 will be complied with;

(f) if incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, an explanation of how section 66264.282 will be complied with;

(g) a waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027 describing how a land treatment facility is or will be designed, constructed, operated, and maintained to meet the requirements of section 66264.283. This submission shall address the following items as specified in section 66264.283:

- (1) the volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;
- (2) the attenuative properties of underlying and surrounding soils or other materials;
- (3) the mobilizing properties of other materials co-disposed with these wastes; and
- (4) the effectiveness of additional treatment, design, or monitoring techniques.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.20.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

#### **§66270.21. Specific Part B Information Requirements for Landfills.**

Except as otherwise provided in section 66264.1, owners and operators of facilities that dispose of hazardous waste in landfills shall provide the following additional information:

- (a) a list of the hazardous wastes placed or to be placed in each landfill or landfill cell;
- (b) Detailed plans and an engineering report describing how the landfill is designed, and is or will be

constructed, operated and maintained to meet the requirements of sections 66264.19, 66264.301, 66264.302, and 66264.303 of this chapter, addressing the following items:

(1)(A) The liner system (except for an existing portion of a landfill), if the landfill shall meet the requirements of section 66264.301(a) of this chapter. If an exemption from the requirements for a liner is sought as provided by section 66264.301(b) of this chapter, submit detailed plans, and engineering and hydrogeological reports, as appropriate, describing alternate designs and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents, into the ground water or surface water at any future time;

(B) The double liner and leak (leachate) detection, collection, and removal system, if the landfill shall meet the requirements of section 66264.301(c) of this chapter. If an exemption from the requirements for double liners and a leak detection, collection, and removal system or alternative design is sought as provided by section 66264.301(d), (e), or (l) of this chapter, submit appropriate information;

(C) If the leak detection system is located in a saturated zone, submit detailed plans and an engineering report explaining the leak detection system design and operation, and the location of the saturated zone in relation to the leak detection system;

(D) The construction quality assurance (CQA) plan if required under section 66264.19 of this chapter;

(E) Proposed action leakage rate, with rationale, if required under section 66264.302 of this chapter, and response action plan, if required under section 66264.303 of this chapter;

(2) control of run-on;

(3) control of run-off;

(4) management of collection and holding facilities associated with run-on and run-off control systems; and

(5) control of wind dispersal of particulate matter, where applicable;

(c) if a double liner and leak detection system is required, as provided by section 66264.301(a), the owner or operator shall submit detailed plans and an engineering report explaining the location of the saturated zone in relation to the landfill, the design of a double-liner system that incorporates a leak detection system between the liners, and a leachate collection and removal system above the liners;

(d) a description of how each landfill, including the double liner and cover system, leachate collection and removal system, leak detection system, cover system, and appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of section 66264.303(a), (b) and (c) of this chapter. This information shall be included in the inspection plan submitted under section 66270.14(b)(5);

(e) detailed plans and an engineering report describing the final cover which will be applied to each landfill or landfill cell at closure in accordance with section 66264.310(a), and a description of how each landfill will be maintained and monitored after closure in accordance with section 66264.310(b). This information shall be included in the closure and post-closure plans submitted under section 66270.14(b)(13);

(f) if ignitable or reactive wastes will be landfilled, an explanation of how the standards of section 66264.312 will be complied with;

(g) if incompatible wastes, or incompatible wastes and materials will be landfilled, an explanation of how section 66264.313 will be complied with;

(h) if containers of hazardous waste are to be landfilled, an explanation of how the requirements of section 66264.315 or section 66264.316, as applicable, will be complied with;

(i) a waste management plan for EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027 describing how a landfill is or will be designed, constructed, operated, and maintained to meet the requirements of section 66264.317. This submission shall address the following items as specified in section 66264.317:

(1) the volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(2) the attenuative properties of underlying and surrounding soils or other materials;

(3) the mobilizing properties of other materials co-disposed with these wastes; and

(4) the effectiveness of additional treatment, design, or monitoring techniques.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code; and Governor's Reorganization Plan Number 1 of 1991. Reference: Sections 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.21.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

2. Amendment of subsections (b)-(b)(1), designation of subsection (b)(1)(A), new subsections (b)(1)(B)-(E), and amendment of subsection (d) and Note filed 7-19-95; operative 8-18-95 (Register 95, No. 29).

3. Change without regulatory effect amending subsections (b) and (b)(1)(A) filed 6-30-97 pursuant to section 100, title 1, California Code of Regulations (Register 97, No. 27).

#### **§66270.22 Specific Part B Information Requirements for Boilers and Industrial Furnaces Burning Hazardous Waste.**

(a) Trial burns-(1) General. Except as provided below, owners and operators that are subject to the standards to control organic emissions provided by section 66266.104 of chapter 16, standards to control particulate matter provided by section 66266.105 of chapter 16, standards to control metals emissions provided by section 66266.106 of chapter 16, or standards to control hydrogen chloride or chlorine gas emissions provided by section 66266.107 of chapter 16 shall conduct a trial burn to demonstrate conformance with those standards and shall submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with section 66270.66 of this chapter.

(A) A trial burn to demonstrate conformance with a particular emission standard may be waived under provisions of sections 66266.104 through 66266.107 of chapter 16 and subsections (a)(2) through (a)(5) of this section; and

(B) The owner or operator may submit data in lieu of a trial burn, as prescribed in subsection (a)(6) of this section.

(2) Waiver of trial burn for DRE-(A) Boilers operated under special operating requirements. When seeking to be permitted under sections 66266.104(a)(4) and 66266.110 of chapter 16 that automatically waive the DRE trial burn, the owner or operator of a boiler shall submit documentation that the boiler operates under the special operating requirements provided by section 66266.110 of chapter 16.

(B) Boilers and industrial furnaces burning low risk waste. When seeking to be permitted under the provisions for low risk waste provided by sections 66266.104(a)(5) and 66266.109(a) of chapter 16 that waive the DRE trial burn, the owner or operator shall submit:

1. Documentation that the device is operated in conformance with the requirements of section 66266.109(a)(1) of chapter 16.

2. Results of analyses of each waste to be burned, documenting the concentrations of nonmetal compounds listed in appendix VIII of chapter 11, except for those constituents that would reasonably not be expected to be in the waste. The constituents excluded from analysis shall be identified and the basis for their exclusion explained. The analysis shall rely on analytical techniques specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (incorporated by reference, see section 66260.11).

3. Documentation of hazardous waste firing rates and calculations of reasonable, worst-case emission rates of each constituent identified in subsection (a)(2)(B)2. of this section using procedures provided by section 66266.109(a)(2)(B) of chapter 16.

4. Results of emissions dispersion modeling for emissions identified in subsections (a)(2)(B)3. of this section using modeling procedures prescribed by section 66266.106(h) of chapter 16. The Director will review the emission modeling conducted by the applicant to determine conformance with these procedures. The Director will either approve the modeling or determine that alternate or supplementary modeling is appropriate.

5. Documentation that the maximum annual average ground level concentration of each constituent identified in subsection (a)(2)(B)2. of this section quantified in conformance with subsection (a)(2)(B)4. of this section does not exceed the allowable ambient level established in appendices IV or V of chapter 16. The acceptable ambient concentration for emitted constituents for which a specific Reference Air Concentration has not been established in appendix IV or Risk-Specific Dose has not been established in appendix V is 0.1 micrograms per cubic meter, as noted in the footnote to appendix IV.

(3) Waiver of trial burn for metals. When seeking to be permitted under the Tier I (or adjusted Tier I) metals feed rate screening limits provided by section 66266.106 (b) and (e) of chapter 16 that control metals emissions without requiring a trial burn, the owner or operator shall submit:

(A) Documentation of the feed rate of hazardous waste, other fuels, and industrial furnace feed stocks;

(B) Documentation of the concentration of each metal controlled by section 66266.106 (b) or (e) of chapter 16 in the hazardous waste, other fuels, and industrial furnace feedstocks, and calculations of the total feed rate of each metal;

(C) Documentation of how the applicant will ensure that the Tier I feed rate screening limits provided by section 66266.106 (b) or (e) of chapter 16 will not be exceeded during the averaging period provided by that subsection;

(D) Documentation to support the determination of the terrain-adjusted effective stack height, good engineering practice stack height, terrain type, and land use as provided by section 66266.106(b)(3) through (b)(5) of chapter 16;

(E) Documentation of compliance with the provisions of section 66266.106(b)(6), if applicable, for facilities with multiple stacks;

(F) Documentation that the facility does not fail the criteria provided by section 66266.106(b)(7) for eligibility to comply with the screening limits; and

(G) Proposed sampling and metals analysis plan for the hazardous waste, other fuels, and industrial furnace feed stocks.

(4) Waiver of trial burn for particulate matter. When seeking to be permitted under the low risk waste provisions of section 66266.109(b) which waives the particulate standard (and trial burn to demonstrate conformance with the particulate standard), applicants shall submit documentation supporting conformance with subsections (a)(2)(B) and (a)(3) of this section.

(5) Waiver of trial burn for HCl and Cl<sub>2</sub>. When seeking to be permitted under the Tier I (or adjusted Tier I) feed rate screening limits for total chloride and chlorine provided by section 66266.107(b)(1) and (e) of chapter 16 that control emissions of hydrogen chloride (HCl) and chlorine gas (Cl<sub>2</sub>) without requiring a trial burn, the owner or operator shall submit:

(A) Documentation of the feed rate of hazardous waste, other fuels, and industrial furnace feed stocks;

(B) Documentation of the levels of total chloride and chlorine in the hazardous waste, other fuels, and industrial furnace feedstocks, and calculations of the total feed rate of total chloride and chlorine;

(C) Documentation of how the applicant will ensure that the Tier I (or adjusted Tier I) feed rate screening limits provided by section 66266.107(b)(1) or (e) of chapter 16 will not be exceeded during the averaging period provided by that subsection;

(D) Documentation to support the determination of the terrain-adjusted effective stack height, good

engineering practice stack height, terrain type, and land use as provided by section 66266.107(b)(3) of chapter 16;

(E) Documentation of compliance with the provisions of section 66266.107(b)(4), if applicable, for facilities with multiple stacks;

(F) Documentation that the facility does not fail the criteria provided by section 66266.107(b)(3) for eligibility to comply with the screening limits; and

(G) Proposed sampling and analysis plan for total chloride and chlorine for the hazardous waste, other fuels, and industrial furnace feedstocks.

(6) Data in lieu of trial burn. The owner or operator may seek an exemption from the trial burn requirements to demonstrate conformance with sections 66266.104 through 66266.107 of chapter 16 and section 66270.66 by providing the information required by section 66270.66 from previous compliance testing of the device in conformance with section 66266.103 of chapter 16, or from compliance testing or trial or operational burns of similar boilers or industrial furnaces burning similar hazardous wastes under similar conditions. If data from a similar device is used to support a trial burn waiver, the design and operating information required by section 66270.66 shall be provided for both the similar device and the device to which the data is to be applied, and a comparison of the design and operating information shall be provided. The Director shall approve a permit application without a trial burn if the Director finds that the hazardous wastes are sufficiently similar, the devices are sufficiently similar, the operating conditions are sufficiently similar, and the data from other compliance tests, trial burns, or operational burns are adequate to specify (under section 66266.102 of chapter 16) operating conditions that will ensure conformance with section 66266.102(c) of chapter 16. In addition, the following information shall be submitted:

(A) For a waiver from any trial burn:

1. A description and analysis of the hazardous waste to be burned compared with the hazardous waste for which data from compliance testing, or operational or trial burns are provided to support the contention that a trial burn is not needed;

2. The design and operating conditions of the boiler or industrial furnace to be used, compared with that for which comparative burn data are available; and

3. Such supplemental information as the Director finds necessary to achieve the purposes of this subsection.

(B) For a waiver of the DRE trial burn, the basis for selection of POHCs used in the other trial or operational burns which demonstrate compliance with the DRE performance standard in section 66266.104(a) of chapter 16. This analysis should specify the constituents in appendix VIII, of chapter 11, that the applicant has identified in the hazardous waste for which a permit is sought, and any differences from the POHCs in the hazardous waste for which burn data are provided.

(b) Alternative HC limit for industrial furnaces with organic matter in raw materials. Owners and operators of industrial furnaces requesting an alternative HC limit under section 66266.104(f) of chapter 16 shall submit the following information at a minimum:

(1) Documentation that the furnace is designed and operated to minimize HC emissions from fuels and raw materials;

(2) Documentation of the proposed baseline flue gas HC (and CO) concentration, including data on HC (and CO) levels during tests when the facility produced normal products under normal operating conditions from normal raw materials while burning normal fuels and when not burning hazardous waste;

(3) Test burn protocol to confirm the baseline HC (and CO) level including information on the type and flow rate of all feedstreams, point of introduction of all feedstreams, total organic carbon content (or other appropriate measure of organic content) of all nonfuel feedstreams, and operating conditions that affect combustion of fuel(s) and destruction of hydrocarbon emissions from nonfuel sources;

(4) Trial burn plan to:

(A) Demonstrate that flue gas HC (and CO) concentrations when burning hazardous waste do not exceed the baseline HC (and CO) level; and

(B) Identify the types and concentrations of organic compounds listed in appendix VIII of chapter 11, that are emitted when burning hazardous waste in conformance with procedures prescribed by the Director;

(5) Implementation plan to monitor over time changes in the operation of the facility that could reduce the baseline HC level and procedures to periodically confirm the baseline HC level; and

(6) Such other information as the Director finds necessary to achieve the purposes of this subsection.

(c) Alternative metals implementation approach. When seeking to be permitted under an alternative metals implementation approach under section 66266.106(f) of chapter 16, the owner or operator shall submit documentation specifying how the approach ensures compliance with the metals emissions standards of section 66266.106(c) or (d) and how the approach can be effectively implemented and monitored. Further, the owner or operator shall provide such other information that the Director finds necessary to achieve the purposes of this subsection.

(d) Automatic waste feed cutoff system. Owners and operators shall submit information describing the automatic waste feed cutoff system, including any pre-alarm systems that may be used.

(e) Direct transfer. Owners and operators that use direct transfer operations to feed hazardous waste from transport vehicles (containers, as defined in section 66266.111 of chapter 16) directly to the boiler or industrial furnace shall submit information supporting conformance with the standards for direct transfer provided by section 66266.111 of chapter 16.

(f) Residues. Owners and operators that claim that their residues are excluded from regulation under the provisions of section 66266.112 of chapter 16 shall submit information adequate to demonstrate conformance with



those provisions.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245, 58004 and 58012, Health and Safety Code.  
Reference: Sections 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.22.

#### HISTORY

1. New section filed 7-1-96; operative 7-31-96 (Register 96, No. 27).
2. Change without regulatory effect amending subsection (a)(3)(D) and (a)(5) filed 7—1—2004 pursuant to section 100, title 1, California Code of Regulations (Register 2004, No. 27).

#### **§66270.23. Specific Part B Information Requirements for Miscellaneous Units.**

Except as otherwise provided in section 66264.600, owners and operators of facilities that transfer, treat, store, or dispose of hazardous waste in miscellaneous units shall provide the following additional information:

- (a) a detailed description of the unit being used or proposed for use, including the following:
  - (1) physical characteristics, materials of construction, and dimensions of the unit;
  - (2) detailed plans and engineering reports describing how the unit will be located, designed, constructed, operated, maintained, monitored, inspected, and closed to comply with the requirements of sections 66264.601 and 66264.602, and
  - (3) for disposal units, a detailed description of the plans to comply with the post-closure requirements of section 66264.603;
  - (b) detailed hydrologic, geologic, and meteorologic assessments and land-use maps for the region surrounding the site that address and ensure compliance of the unit with each factor in the environmental performance standards of section 66264.601. If the applicant can demonstrate that the facility does not violate the environmental performance standards of section 66264.601 and the Department agrees with such demonstration, preliminary hydrologic, geologic, and meteorologic assessments will suffice;
  - (c) information on the potential pathways of exposure of humans or environmental receptors to waste constituents, hazardous constituents and reaction products, and on the potential magnitude and nature of such exposures;
  - (d) for any treatment unit, a report on a demonstration of the effectiveness of the treatment based on laboratory or field data;
  - (e) any additional information determined by the Department to be necessary for evaluation of compliance of the unit with the environmental performance standards of section 66264.601.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.23.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

#### **§66270.24. Specific Part B Information Requirements for Process Vents.**

Except as otherwise provided in Section 66264.1, owners and operators of facilities that have process vents to which Article 27 of Chapter 14 applies must provide the following additional information:

- (a) For facilities that cannot install a closed-vent system and control device to comply with the provisions of 40 CFR 264 subpart AA on the effective date that the facility becomes subject to the provisions of Chapter 14 or 15 Article 27, an implementation schedule as specified in Section 66264.1033(a)(2).
- (b) Documentation of compliance with the process vent standards in Section 66264.1032, including:
  - (1) information and data identifying all affected process vents, annual throughput and operating hours of each affected unit, estimated emission rates for each affected vent and for the overall facility (i.e., the total emissions for all affected vents at the facility), and the approximate location within the facility of each affected unit (e.g., identify the hazardous waste management units on a facility plot plan);
  - (2) information and data supporting estimates of vent emissions and emission reduction achieved by add-on control devices based on engineering calculations or source tests. For the purpose of determining compliance, estimates of vent emissions and emission reductions must be made using operating parameter values (e.g., temperatures, flow rates, or concentrations) that represent the conditions that exist when the waste management unit is operating at the highest load or capacity level reasonably expected to occur; and
  - (3) information and data used to determine whether or not a process vent is subject to the requirements of Section 264.1032.
- (c) An owner or operator who applies for permission to use a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system to comply with the requirements of Section 66264.1032, and chooses to use test data to determine the organic removal efficiency or the total organic compound concentration achieved by the control device, shall provide a performance test plan as specified in Section 66264.1035(b)(3).
- (d) Documentation of compliance with Section 66264.1033, including:
  - (1) a list of all information references and sources used in preparing the documentation;
  - (2) records, including the dates of each compliance test required by Section 66264.1033(k);
  - (3) a design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" (incorporated by reference as specified in Section 66260.11) or other engineering texts which the Department determines contain basic control

device design information which is at least as protective of human health and the environment as APTI Course 415: Control of Gaseous Emissions. The design analysis shall address the vent stream characteristics and control device operation parameters as specified in Section 66264.1035(b)(4)(C);

(4) a statement signed and dated by the owner or operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur; and

(5) a statement signed and dated by the owner or operator certifying that the control device is designed to operate at an efficiency of 95 weight percent or greater unless the total organic emission limits of Section 66264.1032(a) for affected process vents at the facility can be attained by a control device involving vapor recovery at an efficiency less than 95 weight percent.

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.24.

#### HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect amending subsections (b)(2), (c), (d)(2) and (d)(3) filed 12-28-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 53).
3. Editorial correction of subsection (d)(4) (Register 95, No. 50).
4. Change without regulatory effect amending subsections (d)(2)-(3) filed 12-28-95 pursuant to section 100, title 1, California Code of Regulations (Register 95, No. 52).

#### **§66270.25. Specific Part B Information Requirements for Equipment.**

Except as otherwise provided in Section 66264.1, owners and operators of facilities that have equipment to which Article 28 of Chapter 14 applies must provide the following additional information:

- (a) For each piece of equipment to which Article 28 of Chapter 14 applies:
  - (1) equipment identification number and hazardous waste management unit identification;
  - (2) Approximate locations within the facility (e.g., identify the hazardous waste management unit on a facility plot plan);
  - (3) type of equipment (e.g., a pump or pipeline valve);
  - (4) percent by weight total organics in the hazardous waste stream at the equipment;
  - (5) hazardous waste state at the equipment (e.g., gas/vapor or liquid); and
  - (6) methods of compliance with the standards (e.g., "monthly leak detection and repair" or "equipped with dual mechanical seals").
- (b) For facilities that cannot install a closed-vent system and control device to comply with the provisions of 40 CFR 264 subpart BB on the effective date that the facility becomes subject to the provisions of Chapter 14 or 15, Article 28, an implementation schedule as specified in Section 66264.1033(a)(2).
- (c) Where an owner or operator applies for permission to use a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system and chooses to use test data to determine, the organic removal efficiency or the total organic compound concentration achieved by the control device, a performance test plan as specified in Section 966264.1035(b)(3).
- (d) Documentation that demonstrates compliance with the equipment standards in Sections 66264.1052 to 66264.1059. This documentation shall contain the records required under Section 66264.1064. The Department may request further documentation before deciding if compliance has been demonstrated.
- (e) Documentation to demonstrate compliance with Section 66264.1060 shall include the following information:
  - (1) a list of information references and sources used in preparing the documentation;
  - (2) records, including the dates of each compliance test required by Section 66264.1033(j);
  - (3) a design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" (incorporated by reference as specified in Section 66260.11) or other engineering texts which the Department determines contain basic control device design information which is at least as protective of human health and environment as APTI Course 415: Control of Gaseous Emissions. The design analysis shall address the vent stream characteristics and control device operation parameters as specified in Section 66264.1035(b)(4)(C);
  - (4) a statement signed and dated by the owner or operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur;
  - (5) a statement signed and dated by the owner or operator certifying that the control device is designed to operate at an efficiency of 95 weight percent or greater.
  - (6) method of compliance with the standard (e.g., "monthly leak detection and repair" or "equipped with dual mechanical seals").

NOTE: Authority cited: Sections 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.25.

#### HISTORY

1. New section filed 12-23-92; operative 1-22-93 (Register 93, No. 2).
2. Change without regulatory effect amending subsection (e)(2) filed 12-28-93 pursuant to title 1, section 100,

California Code of Regulations (Register 93, No. 53).

3. Editorial correction of first paragraph (Register 95, No. 50).

4. Change without regulatory effect amending subsections (d), (e), (e)(3) and (e)(5) and deleting duplicate subsections (b)-(e)(5) filed 12-28-95 pursuant to section 100, title 1, California Code of Regulations (Register 95, No. 52).

**§66270.26. Special part B information requirements for drip pads.**

Except as otherwise provided by section 66264.1, owner and operators of hazardous waste transfer, treatment, storage, or disposal facilities that transfer, treat, store, or dispose hazardous waste on drip pads shall provide the following additional information:

- (a) A list of hazardous waste placed or to be placed on each drip pad.
- (b) Detailed plans and an engineering report describing how the drip pad is or will be designed, constructed, operated and maintained to meet the requirements of section 66264.573, including the as-built drawings and specifications. This submission shall address the following items as specified in section 66264.571:
  - (1) the design characteristics of the drip pad;
  - (2) the liner system;
  - (3) the leakage detection system, including the leak detection system and how it is designed to detect the failure of the drip pad or the presence of any releases of hazardous waste or accumulated liquid at the earliest practicable time;
  - (4) practices designed to maintain drip pads;
  - (5) the associated collection system;
  - (6) control of run-on to the drip pad;
  - (7) control of run-off from the drip pad;
  - (8) the interval at which drippage and other materials will be removed from the associated collection system and a statement demonstrating that the interval will be sufficient to prevent overflow onto the drip pad;
  - (9) procedures for cleaning the drip pad at least once every seven days to ensure the removal of any accumulated residues of waste or other materials, including but not limited to rinsing, washing with detergents or other appropriate solvents, or steam cleaning and provisions for documenting the date, time, and cleaning procedure used each time the pad is cleaned;
  - (10) operating practices and procedures that will be followed to ensure that tracking of hazardous waste or waste constituents off the drip pad due to activities by personnel or equipment is minimized;
  - (11) procedures for ensuring that, after removal from the treatment vessel, treated wood from pressure and non-pressure processes is held on the drip pad until drippage had ceased, including recordkeeping practices;
  - (12) provisions for ensuring that collection and holding units associated with run-on and run-off control systems are emptied or otherwise managed as soon as possible after storms to maintain design capacity of the system;
  - (13) if treatment is carried out on the drip pad, details of the process equipment used, and the nature and quality of the residuals;
  - (14) a description of how each drip pad, including appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of section 66264.573. This information should be included in the inspection plan submitted under section 66270.14(b)(5);
  - (15) a certification signed by an independent, qualified professional engineer registered in California, stating that the drip pad design meets the requirements of 66264.573(a) through (f);
  - (16) a description of how hazardous waste residues and contaminated materials will be removed from the drip pad at closure, as required under section 66264.575(a). For any waste not to be removed from the drip pad upon closure, the owner or operator shall submit detailed plans and an engineering report describing how section 66264.310(a) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under section 66270.14(b)(13).

NOTE: Authority cited: Sections 25150, 25159, 25159.5 and 25245, Health and Safety Code; and Section 58012, Governor's Reorganization Plan Number 1 of 1991. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR Section 270.26.

**HISTORY**

1. New section filed 7-29-94; operative 8-29-94 (Register 94, No. 30).

2. Change without regulatory effect amending subsections (b)(7)-(8) and (b)(10)-(12) filed 12-28-95 pursuant to section 100, title 1, California Code of Regulations (Register 95, No. 52).

**§66270.27. Specific Part B Information Requirements for Air Emission Controls for Tanks, Surface Impoundments, and Containers.**

(a) Except as otherwise provided in section 66264.1, owners and operators of tanks, surface impoundments, or containers that use air emission controls in accordance with the requirements of section chapter 14, article 30 shall provide the following additional information:

- (1) Documentation for each floating roof cover installed on a tank subject to sections 66264.1084(d)(1) or 66264.1084(d)(2) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in sections 66264.1084(e)(1) or 66264.1084(f)(1).

(2) Identification of each container area subject to the requirements of chapter 14, article 30 and certification by the owner or operator that the requirements of this article are met.

(3) Documentation for each enclosure used to control air pollutant emissions from tanks or containers in accordance with the requirements of sections 66264.1084(d)(5) or 66264.1086(e)(1)(B) that includes records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B.

(4) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of section 66264.1085(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in section 66264.1085(c)(1).

(5) Documentation for each closed-vent system and control device installed in accordance with the requirements of section 66264.1087 that includes design and performance information as specified in section 66270.24 (c) and (d).

(6) An emission monitoring plan for both Method 21 in 40 CFR part 60, appendix A and control device monitoring methods. This plan shall include the following information: monitoring point(s), monitoring methods for control devices, monitoring frequency, procedures for documenting exceedances, and procedures for mitigating noncompliances.

(7) When an owner or operator of a facility subject to chapter 15, article 28.5 cannot comply with chapter 14, article 28.5 by the date of permit issuance, the schedule of implementation required under section 66265.1082.

NOTE: Authority cited: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR section 270.27.

#### HISTORY

1. Change without regulatory effect adding new section filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).

#### **§66270.29. Permit Denial.**

The Department may, pursuant to the procedures in chapter 21, deny the permit application either in its entirety or as to the active life of a hazardous waste management facility or unit only.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; 40 CFR Section 270.29.

#### HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).